

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
GREENEVILLE

| | | |
|--------------------------------------|---|------------------|
| TREVOR FERLEY, |] | |
| |] | |
| Plaintiff, |] | |
| |] | |
| v. |] | No. 2:12-CV-51 |
| |] | JUDGE GREER |
| MOUNTAIN STATES HEALTH ALLIANCE |] | MAGISTRATE INMAN |
| d/b/a JOHNSON CITY MEDICAL CENTER; |] | JURY DEMAND |
| MARC AIKEN, M.D.; ROBERT J. DeTROYE, |] | |
| M.D.; WATAUGA ORTHOPAEDICS, PLC; |] | |
| ANITA DIANE Dunn, M.D.; JULIE ANN |] | |
| DUNN, M.D.; and MEDICAL EDUCATION |] | |
| ASSISTANCE CORPORATION, |] | |
| |] | |
| Defendants. |] | |

JOINT ALTERNATIVE DISPUTE RESOLUTION/MEDIATION REPORT

Pursuant to the Court's Scheduling Order [Doc. 23] and the Court's Order granting the parties additional time to file this pleading [Doc. 32], the parties submit this report with respect to the utilization of alternative dispute resolution. The parties, by and through counsel, have conferred and discussed the potential utilization of mediation in this case, but the parties do not believe that this matter is ripe for mediation at this time. This is a medical malpractice action, and the defendant physicians would be required to consent to settlement before any settlement funds could be offered on their behalf. Based upon the current state of discovery and the overall nature of the claims, the defendant physicians have not consented to enter into settlement negotiations, and therefore, it appears that mediation would be futile at this time.

Respectfully submitted,

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Attorney for Defendants, Julie Ann Dunn, M.D.
and Medical Education Assistance Corporation

CERTIFICATE OF SERVICE

I hereby certify that on May 31, 2013, a copy of the foregoing Joint Alternative Dispute Resolution/Mediation Report was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's electronic filing system.

s/ Jeffrey M. Ward

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